

OCT. 26. 2004 5:09PM

NO. 4337 P. 8



Docket No.: 00124-01087
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Ian Craig Barkhouse

Conf. No.: 4980

Application No.: 10/710,981

Group Art Unit: 3673

Filed: August 16, 2004

Examiner: Not Yet Assigned

For: **COLLAPSIBLE MATTRESS BORDER
CONSTRUCTION AND METHOD**

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed September 17, 2004 (enclosed herewith), Applicant respectfully submits Combined Declaration and Power of Attorney.

Also enclosed is an Information Disclosure Statement.

Application No.: 10/710,981-Conf. #4980

Docket No.: 00124-01087

We authorize the Director to charge the \$130.00 fee to our Deposit Account No. 03-2775. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 03-2775, under Order No. 00124-01087-US. A duplicate copy of this paper is enclosed.

Dated: October 26, 2004

Respectfully submitted,

By Patricia Smink Rogowski
Patricia Smink Rogowski
Registration No.: 33,791
CONNOLLY BOVE LODGE & HUTZ LLP
1007 North Orange Street
P.O. Box 2207
Wilmington, Delaware 19899
(302) 658-9141
(302) 658-5614 (Fax)
Attorney for Applicant

Enclosure:

Missing Parts Notice
Combined Declaration and Power of Attorney
Information Disclosure Statement



FAX TRANSMISSION

DATE: October 26, 2004

PTO IDENTIFIER: Application Number 10/710,981-Conf. #4980
Patent Number

Inventor: Ian C. Barkhouse

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (703) 746-4060

FROM: CONNOLLY BOVE LODGE & HUTZ LLP

Patricia Smink Rogowski

PHONE: (302) 658-9141

Attorney Dkt #: 00124-01087-US

PAGES (Including Cover Sheet): 14

CONTENTS:

- Fee Transmittal (1 page);
- Copy of Notice to File Missing Parts (2 pages);
- Declaration and POA for Patent Application (4 pages);
- Response to Notice to File Missing Parts of Application (2 pages);
- IDS (Citation) by Applicant (15 References) (1 page);
- Information Disclosure Statement (2 pages);
- Certificate of Transmission under 37 CFR 1.8 (1 page); and
- Charge \$130.00 to deposit account 03-2775.

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (302) 658-9141 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

CONNOLLY BOVE LODGE & HUTZ LLP
1007 North Orange Street, P.O. Box 2207, Wilmington, Delaware 19899
Telephone: (302) 658-9141 Facsimile: (302) 658-5614

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NO. 4337 P. 2



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Application No. 10/710,981-Conf. #4980 Attorney Docket No. 00124-01087-US

Certificate of Transmission Under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office 703/746-4060

on October 26, 2004
Date


Signature

Valerie J. Murphy
Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Fee Transmittal (1 page);
Copy of Notice to File Missing Parts (2 pages);
Declaration and POA for Patent Application (4 pages);
Response to Notice to File Missing Parts of Application (2 pages);
IDS (Citation) by Applicant (15 References) (1 page);
Information Disclosure Statement (2 pages); and
Charge \$130.00 to deposit account 03-2776.

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NO. 4337 P. 3



PTO/SB/17 (10-04v2)
Approved for use through 7/31/2008. OMB 0651-0092
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FEE TRANSMITTAL for FY 2005		Complete if Known							
Effective 10/01/2004. Patent fees are subject to annual revision.		Application Number: 10/710,981-Conf. #4980 Filing Date: August 16, 2004 First Named Inventor: Ian C. Barkhouse Examiner Name: Not Yet Assigned Art Unit: N/A Attorney Docket No.: 00124-01087-US							
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 TOTAL AMOUNT OF PAYMENT (\$) 130.00									
METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)					
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: 03-2775 Deposit Account Name: Connolly Bove Lodge & Hutz LLP The Director is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.				3. ADDITIONAL FEES					
				Large Entity Small Entity Fee Code (\$) Fee Code (\$) Fee Description Fee Paid					
				1051	130	2051	65	Surcharge - late filing fee or oath	130.00
				1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
				1053	130	1053	130	Non-English specification	
				1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
				1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
				1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
				1251	110	2251	55	Extension for reply within first month	
				1262	430	2252	215	Extension for reply within second month	
				1253	980	2253	490	Extension for reply within third month	
				1254	1,530	2254	765	Extension for reply within fourth month	
				1255	2,080	2255	1,040	Extension for reply within fifth month	
				1401	340	2401	170	Notice of Appeal	
				1402	340	2402	170	Filing a brief in support of an appeal	
				1403	300	2403	150	Request for oral hearing	
				1451	1,510	1451	1,510	Petition to institute a public use proceeding	
				1452	110	2462	55	Petition to revive - unavoidable	
				1453	1,370	2453	685	Petition to revive - unintentional	
				1501	1,370	2601	685	Utility issue fee (or reissue)	
				1502	490	2502	245	Design issue fee	
				1503	860	2503	330	Plant issue fee	
				1480	130	1460	130	Petitions to the Commissioner	
				1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
				1808	180	1808	180	Submission of Information Disclosure Stmt	
				8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
				1809	780	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
				1810	780	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
				1801	780	2801	395	Request for Continued Examination (RCE)	
				1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)									
Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$)				130.00	
**or number previously paid, if greater; For Reissues, see above									
SUBMITTED BY						(Complete if applicable)			
Name (Print/Type)	Patrick Smink Rogowski		Registration No. (Attorney/Agent)	33,791		Telephone	(302) 658-9141		
Signature			Date	October 26, 2004					

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/710,981	08/16/2004	Ian Barkhouse	00124-01087-US

CONFIRMATION NO. 4980

23416
CONNOLLY BOVE LODGE & HUTZ, LLP
P O BOX 2207
WILMINGTON, DE 19899

FORMALITIES LETTER



OC000000013834681

Date Mailed: 09/17/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

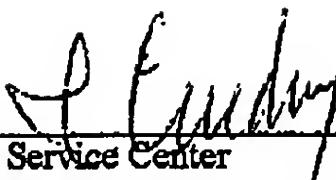
- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY